



03-28-03

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:

Gerard Francis Barry
Ganesh Murthy Kishore

Serial No.: 09/612,404

Filed: July 7, 2000

For: GLYPHOSATE TOLERANT PLANTS

Group Art Unit: 1652

Examiner: Manjunath Rao

Atty. Dkt. No.: 11914.0140.NPUS00

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**REQUEST FOR CONTINUED
EXAMINATION UNDER 37 C.F.R. § 1.114**

BOX RCE

Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a request for continuing examination under Rule 114 (37 CFR § 1.114) of copending prior reissue application Serial No. 09/612,404, filed on July 7, 2000, entitled "Glyphosate Tolerant Plants."

The above-identified prior reissue application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

03/31/2003 AWONDAF1 00000128 012508 09612404

01 FC:1801 750.00 CH
02 FC:1201 168.00 CH

- ☐ 1. Enter the unentered amendment previously filed on _____ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
- ☒ 2. Preliminary Remarks are enclosed, which enclose a copy of the original U.S. Patent No. 5,776,760.
- ☐ 3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
- ☐ (a) **DELETE** the following inventor(s) named in the prior non-provisional application:
- ☐ (b) The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ 4. A Power of Attorney is enclosed.
- ☐ 5. A Supplemental Information Disclosure Statement (IDS) is enclosed.
- ☐ (a) PTO-1449.
- ☐ (b) Copies of IDS citations not previously submitted.
- ☒ 6. Please charge all fees related to this filing to Howrey Simon Arnold & White Deposit Account No. 01-2508/11914.0140.NPUS00A. The fee is calculated below.

FEE SHEET

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
Basic Fee -----				\$750.00
Total Claims	5- 20 =	0 X	\$18.00	\$0.00
Independent Claims	5- 3 =	2 X	\$84.00	\$168.00
Multiple Dependent Claim(s) -----		0		\$0.00
TOTAL FILING FEES:				\$918.00

- ☐ 7. Applicant is entitled to Small Entity Status for this application.
- ☐ (a) A small entity statement is enclosed.

☐ (b) A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.

☐ (c) Small entity status is no longer claimed.

☒ 8. Should any additional fees be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Deposit Account No. 01-2508/11914.0140.NPUS00.

☒ 9. The Commissioner is requested to grant Applicants a filing date in accordance with Rule 1.53.

☒ 10. Priority is claimed under 35 U.S.C. § 120 to the following U.S. patent applications: U.S. patent application Serial No. 08/484,274, filed June 7, 1995 (issued as U.S. Patent No. 5,776,760), which is a continuation of U.S. patent application Serial No. 08/391,339, filed February 21, 1995 (issued as U.S. Patent No. 5,463,175), which is a continuation of U.S. patent application Serial No. 08/156,968, filed November 23, 1993, (abandoned), which is a continuation of U.S. patent application Serial No. 07/717,370, filed June 24, 1991 (abandoned), which is a continuation-in-part of U.S. patent application Serial No. 07/543,236, filed June 25, 1990 (abandoned).

☒ 11. Address all future communications to:

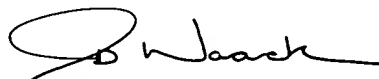
Janelle Waack
HOWREY SIMON ARNOLD & WHITE, LLP
750 Bering Drive
Houston, Texas 77057
(713) 787-1400

☐ 12. Other: _____.

☒ 13. Return Receipt Postcard.

It is understood that secrecy under 35 U.S.C. § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file jacket of a 37 C.F.R. § 1.53(d) application, be it either this application or a prior application in the same file jacket, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file jacket.

Respectfully submitted,



Janelle D. Waack
Reg. No. 36,300

Attorney for Assignee
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Date: March 27, 2003